



City Attorney's Office · 555 Santa Clara Street · Vallejo · CA · 94590 · 707.648.4545

June 20, 2019

VIA EMAIL ONLY
OpenVallejo

Re: Demand to Cure and Correct

Dear OpenVallejo:

Thank you for your letter of June 17, 2019. We appreciate OpenVallejo's diligence in ensuring the City Council's meetings comply with the Brown Act. With regard to the June 11, 2019 meeting, you requested that the City "cure and correct" any invalid action which occurred during the City Council's recess to closed session at the conclusion of the public portion of the Council's regular meeting. My office has reviewed the circumstances surrounding the June 11 closed session and determined that the City Council's actions substantively complied with the Brown Act at all times. In this instance, the agenda noticed the closed session at the Special Meeting scheduled for 5:00 p.m. as well as a closed session during the post-public portion of the Regular Council Meeting. The later meeting was intended as a continuation of the earlier closed session. Moreover, because no action was taken during either portion of the closed session and there was no reportable action. Thus, there is no action to invalidate.

We acknowledge that the continuation of the earlier closed session to a later time on the same night as well as the adjournment from regular to closed session could have been clearer. However, what occurred during the late evening of June 11th was an error in procedure and not a violation of the Brown Act. As you will note, and as is the City's normal practice, the agenda for the closed session during the Council's special meeting included the appropriate information for the meeting per the Brown Act. The City will take affirmative steps to ensure that both the future agendas for closed session continue to comply with the requirements of the Brown Act and the process for recessing to closed session is made clear.

Please let me know if you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Claudia Quintana".

Claudia Quintana
City Attorney